

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
WAYCROSS DIVISION

FILED
U.S. DIST. COURT
WAYCROSS DIV.

2006 AUG 31 A 11:35

NICOLE HERNANE and
GUY FRANKLIN,

Plaintiffs,

v.

CIVIL ACTION NO.: CV505-059

METAL FUSION, INC., d/b/a
KING KOOKER,

Defendant and Third
Party Plaintiff,

v.

S. H. LEGGITT COMPANY,

Third Party Defendant.

ORDER

Marshall Gas Controls, a division of Third-Party Defendant S. H. Leggitt Company, filed a Motion to Compel Discovery seeking an Order directing Plaintiffs to fully and completely respond to their Third Request for Production of Documents and Tangible Things. Plaintiffs filed a response stating that they have either produced the relevant documents or responded that the responsive documents were not in their possession. Based upon that representation, the Motion to Compel Discovery is **DENIED**. The request for costs incurred for bringing the motion is **denied**.

SO ORDERED, this 31st day of August, 2006.


JAMES E. GRAHAM
UNITED STATES MAGISTRATE JUDGE